IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD
(Special Original Jurisdiction)

TUESDAY, THE TWENTY FIRST DAY OF SEPTEMBER
TWO THOUSAND AND FOUR

PRESENT
**THE HON'BLE MR JUSTICE B.PRAKASH RAO**

**WRIT PETITION NO : 4062 of 2001**

Between:

M/s.Sathya Brick Industries,
Plot N.68, Viman Nagar, Secunderabad,
rep. By its proprietrix Smt.K.Rama Devi, W/o.Girija Prasad.

**... PETITIONER**

AND

1) A.P.State Financial Corporation,
Sangareddy Branch, Sangareddy, Medak District,
rep.by its Manager.
2) Special Deputy Tahsildar for recovery of
A.P.State Financial Corporation dues-cum-Mandal Revenue
Officer, Secunderabad.

**...RESPONDENTS**

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue writ of mandamus declaring the action of the first respondent in not allowing the petitioner to clear off the loan amount in one time settlement and selling the petitioner-Unit for a negligence amount of Rs.4,30,000/ and also issuing the destraint order dt.24.1.2001 and the subsequent notice No.D/91/2001, dt.19.2.2001 issued by the second respondent, as illegal, improper, unjust and contrary to the provisions of the A.P.State Financial Corporation Act.

**Counsel for the Petitioner:MR.M.SAI MURALIKRISHNA**

**Counsel for the Respondent No.1: MR.Y.N.LOHITHA**

**Counsel for the Respondent No.2: G.P.for Revenue**

**The Court made the following :**

**O R D E R:**

Heard both sides, and at their request, the main writ petition itself is taken up for disposal.

The petitioner, who is a loanee, filed this writ petition, *inter alia,* seeking for a writ of mandamus, with a direction to allow him to clear off the loan amount in one time settlement (OTS) and not to sell the petitioner's unit for a paltry sum. Hence the writ petition.

Having considered the submissions and also on perusal of material, it is seen that the petitioner's request was only to avail the benefit under OTS scheme. Hence, it is not necessary to go into the merits of the case. Having regard to the fact that interim stay was granted by this Court in W.P.M.P.No.5239 of 2001 in this case, as long back as on 8.03.2001, it would suffice in the interests of justice to permit the petitioner to make a representation within a period of four weeks from today, and on such receipt, the respondents shall consider the same and pass orders in accordance with law, after giving opportunity to the petitioner.

Subject to the above, the writ petition is disposed of. No costs.

21st September, 2004

pan/ghn

To

1) The Manager,
   A.P.State Financial Corporation,
   Sangareddy Branch, Sangareddy, Medak District.
2) The Special Deputy Tahsildar for recovery of
   A.P.State Financial Corporation dues-cum-Mandal Revenue
   Officer, Secunderabad.
3) Two C.Cs. to the Govt. Pleader for Revenue,

High Court buildings, Hyderabad. (OUT)

4) Two C.D. copies